

IN RE: PETITION FOR SPECIAL EXCEPTION	* BEFORE THE
E/S of Evna Road, 980' N of	
Mt. Carmel Road	* DEPUTY ZONING COMMISSIONER
(17027 Evna Road)	
6th Election District	* OF BALTIMORE COUNTY
3rd Councilmanic District	
	* Case No. 95-404-X
Shelter Valley Farm, LLC	
Petitioners	*

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Exception for that property known as 17027 Evna Road, located in the vicinity of the Gunpowder Falls State Park in Parkton. The Petition was filed by the owners of the subject property, Shelter Valley Farm, LLC, by John Phelps, and the Contract Purchaser/Lessee, Karl A. Terwilliger. The Petitioners seek approval to use the subject property as a riding stable in accordance with the site plan submitted and accepted into evidence as Petitioner's Exhibit 1.

Appearing on behalf of the Petition were John Phelps, owner of the property, and Karl A. Terwilliger and Connie J. Shrader. Mr. A. A. Windersheim appeared as an interested party. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of 48.8 acres, more or less, zoned R.C. 2 and is improved with a dwelling and several outbuildings. The property is presently being used as a riding stable and has been used as such for the past ten (10) years. Testimony indicated that Mr. Phelps acquired the property at a foreclosure approximately three years ago and that Mr. Terwilliger and Ms. Shrader have a lease with option to buy the property. Mr. Terwilliger and Ms. Shrader have requested the special exception to continue using the property as a

ORDER RECEIVED FOR FILING

Date 6/21/95

By [Signature]

MICROFILMED

riding stable. They testified that their operation consists of providing boarding facilities for privately owned horses. Testimony indicated that the Petitioners do not intend to rent these horses to the general public, and that their operation will be limited to providing boarding facilities for no more than 40 adult horses. Further testimony indicated that there will be no outdoor floodlights installed on the property which would allow for night riding.

It is clear that the B.C.Z.R. permits the use proposed in a R.C.2 zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

RECEIVED FOR FILING  
6/21/85  
JBP


After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special exception should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 21<sup>st</sup> day of June, 1995 that the Petition for Special Exception to use the subject property as a riding stable, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) There shall be no outdoor floodlights installed on the property to permit nighttime riding. The Petitioners may install security lighting as necessary.
- 3) The Petitioners are prohibited from boarding more than forty (40) adult horses on the property at any one time.
- 4) The Petitioners shall be prohibited from renting horses to the general public.
- 5) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that these restrictions may only be modified by way of a future public hearing to address the appropriateness of any modification sought.

  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING  
Date 6/21/95  
By [Signature]



# Petition for Special Exception

75-404-X  
to the Zoning Commissioner of Baltimore County

for the property located at

17027 EVNA Rd

which is presently zoned

RC-2

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the

A RIDING STABLE

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee

KARL A. TERWILLIGER  
(Type or Print Name)

Karl A. Terwilliger  
Signature

17027 EVNA RD  
Address

PARKTON MD 21120  
City State Zipcode

Legal Owner(s)

JOHN PHELPS (SHEPHERD VALLEY FARM LLC)  
(Type or Print Name)

John Phelps  
Signature

(Type or Print Name)

Signature

Attorney for Petitioner.

(Type or Print Name)

Signature

Address Phone No

State Zipcode

Address Phone No

City State Zipcode  
Name, Address and phone number of representative to be contacted.

Name

Address Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING  
unavailable for Hearing

the following dates Next Two Months

ALL OTHER

REVIEWED BY: DATE

MICROFILMED

397

ORDER RECEIVED FOR FILING

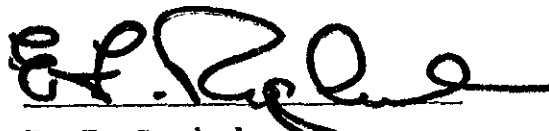
Date

BY

### AREA OF SPECIAL EXCEPTION

Beginning for the same at a point in the centerline of Evna Road at a distance of 980"+/- northerly from the intersection formed by the intersection of Mount Carmel Road and Evna Road at the beginning of the 5th line of the land of Shelter Valley Farm recorded in Liber SM 9728 folio 26 then binding on Evna Road by a curve to the right for a distance of 58.33', thence leaving Evna Road N 79°-00'-01" E 351.46', N 30°-16'-35" W 215.07' and S 54°-33'-45" W 217.17' to the center of Evna Road thence with Evna Road N 30°-49'-26" E 137.25', by a curve to the left for a distance of 181.68', thence leaving Evna Road S 44°-00'-22" E 100.79', S 76°-18'-12" E 64.06, N 46°-43'-54" E 100.00', N 27°-57'-17" W 258.09', N 24°-43'-24" W 259.18', N 70°-14'-00" E 304.85', S 81°-04" E 169.00', N 81°-37' E 229.00', N 36°-38'-58" E 375.39', N 33°-25'-15" E 465.00, thence S 46°-25'-38" E 1163.05', S 18°-30'-54" E 155.61, S 52°-12'-19" W 1848.00', N 34°-14'-04" W 321.75', N 27°-43'-04" W 214.50, and S 77°-31'-26" W 445.50' to the place of beginning. Containing 48.80 Acres.



  
E. F. Raphel,  
Prof. Land Surveyor #2246

**CERTIFICATE OF POSTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY**  
**Towson, Maryland**

95-404-X

District 604 Date of Posting 5/19/95  
Posted for: Special Exceptions  
Petitioner: Shelter Valley Farm, LLC  
Location of property: 17027 Edna Rd.  
Location of Signs: Facing road way on property being zoned S  
Remarks: \_\_\_\_\_  
Posted by [Signature] Date of return: 5/20/95  
Signature  
Number of Signs: 1



# CERTIFICATE OF PUBLICATION

## NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in

Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #88-404-X  
(Item 397)  
17027 Evna Road  
c/ Evna Road, 980' N of Mt.  
Carmel Road  
6th Election District  
3rd Councilmanic  
Legal Owner(s):  
Shelter Valley Farm, LLC  
Contract Purchaser:  
Kari A. Terwilliger  
Hearing: Monday,  
June 12, 1996 at 9:00  
a.m. in Rm. 118, Old  
Courthouse.

Special Exception for a  
riding stable.

LAWRENCE E. SCHMIDT  
Zoning Commissioner for  
Baltimore County

NOTES: (1) Hearings are Hand-  
capped Accessible; for special ac-  
commodations Please Call  
887-3353.

(2) For information concern-  
ing the File and/or Hearing, Please  
Call 887-3391.  
5/24/96 May 18.

TOWSON, MD.,

May 19, 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 3 successive weeks, the first publication appearing on May 4, 1995.

THE JEFFERSONIAN,

*A. Henickson*  
LEGAL AD. - TOWSON

~~Printed~~



Baltimore County  
Zoning Administration &  
Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

receipt

95-404-X

Account: R-001-6150

Number

397

Date

3 May 95

17027 - E. W. R. C.

050 - 300

080 35

335.00

Shelter Valley Farm LLC  
(PHELPS)  
(Toby Higer)

APPROVED

034038002271 CHR

\$335.00

BA 0002-24PM05-03-95

Please Make Checks Payable To: Baltimore County

Cashier Validation



TO: PUTUXENT PUBLISHING COMPANY  
May 18, 1995 Issue - Jeffersonian

Please forward billing to:

Karl A. Terwilliger  
17027 Evna Road  
Parkton MD 21120  
343-2640

---

NOTICE OF HEARING

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CASE NUMBER: 95-404-X (Item 397)  
17027 Evna Road  
c/l Evna Road, 980' N of Mt. Carmel Road  
6th Election District - 3rd Councilmanic  
Legal Owner(s): Shelter Valley Farm, LLC  
Contract Purchaser: Karl A. Terwilliger  
HEARING: MONDAY, JUNE 12, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

Special Exception for a riding stable.

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

MICROFILMED

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

May 11, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in  
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or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-404-X (Item 397)

17027 Evna Road

c/l Evna Road, 980' N of Mt. Carmel Road

6th Election District - 3rd Councilmanic

Legal Owner(s): Shelter Valley Farm, LLC

Contract Purchaser: Karl A. Terwilliger

HEARING: MONDAY, JUNE 12, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

Special Exception for a riding stable.

A handwritten signature in black ink, reading "Arnold Jablon".

Arnold Jablon  
Director

cc: John Phelps  
Karl A. Terwilliger

- NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

June 5, 1995

Mr. John Phelps  
Shelter Valley Farm  
801 Post Boy Court  
Towson, Maryland 21286

RE: Item No.: 397  
Case No.: 95-404-X  
Petitioner: John Phelps

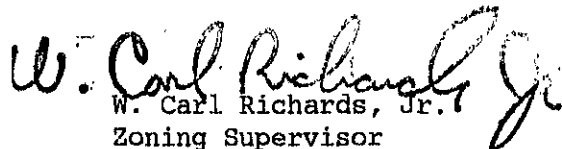
Dear Mr. Phelps:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on May 3, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

  
W. Carl Richards, Jr.  
Zoning Supervisor

WCR/jw  
Attachment(s)



SHELTERV/DEPRM/TXTSBP

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration and  
Development Management

DATE: May 16, 1995

FROM: Pat Keller, Director  
Office of Planning and Zoning

A

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 391, 392, and 397.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Jeffrey W. Long

Division Chief:

Gary L. Kerns

PK/JL

Baltimore County Government  
Fire Department



700 East Joppa Road Suite 901  
Towson, MD 21286-5500

(410) 887-4500

DATE: 05/11/95

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF MAY 15, 1995.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time,  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 392, 394, 395, 396,  
397, 398, 399 AND 400.

RECEIVED

MAY 16 1995

ZADM

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File





**Maryland Department of Transportation**  
**State Highway Administration**

O. James Lighthizer  
Secretary  
Hal Kassoff  
Administrator

5-12-95

Ms. Joyce Watson  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Baltimore County  
Item No.: 397 (CAM)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*Bob Small*

*for* Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/

DATE: March 31, 1995

TO: Hearing Officer

FROM: Catherine A. Milton  
Planner I, ZADM

SUBJECT: Item #397  
17027 Evna Road

See letter of ownership in file.

CAM:scj

SECRET



RE: PETITION FOR SPECIAL EXCEPTION	*	BEFORE THE
17027 Evna Road, c/l Evna Rd, 980' N of		
Mt. Carmel Road, 6th Election District,	*	ZONING COMMISSIONER
3rd Councilmanic		
	*	OF BALTIMORE COUNTY
Shelter Valley Farm, LLC		
Petitioners	*	CASE NO. 95-404-X

\* \* \* \* \*

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

*Carole S. Demilio*

CAROLE S. DEMILIO  
Deputy People's Counsel  
Room 47, Courthouse  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 31st day of May, 1995, a copy of the foregoing Entry of Appearance was mailed to John Phelps, Shelter Valley Farm, LLC, 801 Post Bay Court, Towson, MD 21286, Legal Owner/Petitioner, and to Karl Terwillger, 17027 Evna Road, Parkton, MD 21120, Contract Purchaser.

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN

95-404-X

APRIL 06, 1995

TO WHOM IT MAY CONCERN:

THIS LETTER IS TO SERVE AS NOTICE THAT JOHN H. PHELPS IS THE  
PRESENT OWNER OF THE PROPERTY KNOWN AS:

SHELTER VALLEY FARM L L C  
17027 EVNA ROAD  
PARKTON, MARYLAND 21120

John H. Phelps  
JOHN H. PHELPS

DATED: 4/6/95

ON THIS 6TH DAY OF APRIL, 1995, JOHN H. PHELPS , PERSONALLY  
KNOWN TO ME, A NOTARY IN THE STATE OF MARYLAND, BALTIMORE COUNTY.

Linda L. Coleman

LINDA L. COLEMAN  
NOTARY PUBLIC, STATE OF MARYLAND  
My Commission Expires April 1, 1996

WICKBURN

397

EASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

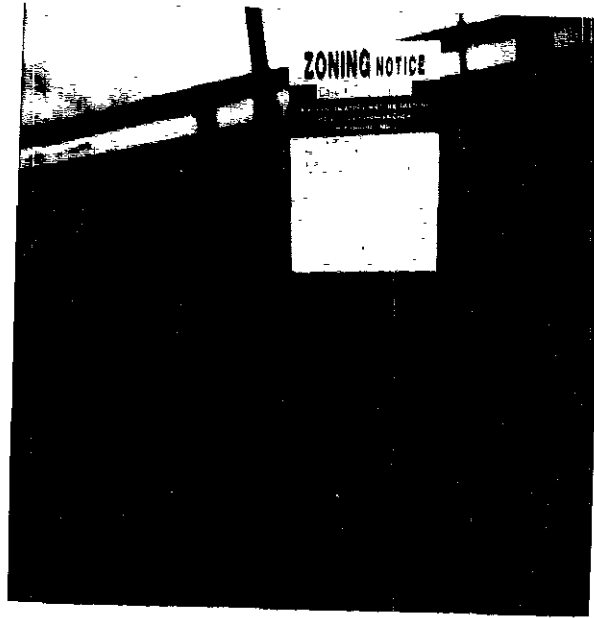
Karl A. Terwilliger  
Cammie J. SHREAGER  
JOHN PHELPS

ADDRESS

17027 Euna Rd. Paktan, MD 2120  
" " "  
801 POST BOY CT.



95-404-X



17011

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

June 21, 1995

(410) 887-4386

Mr. John Phelps  
801 Post Bay Court  
Baltimore, Maryland 21286

RE: PETITION FOR SPECIAL EXCEPTION  
E/S of Evna Road, 980' N of Mt. Carmel Road  
(17027 Evna Road)  
6th Election District - 3rd Councilmanic District  
Shelter Valley Farm, LLC - Petitioners  
Case No. 95-404-X

Dear Mr. Phelps:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

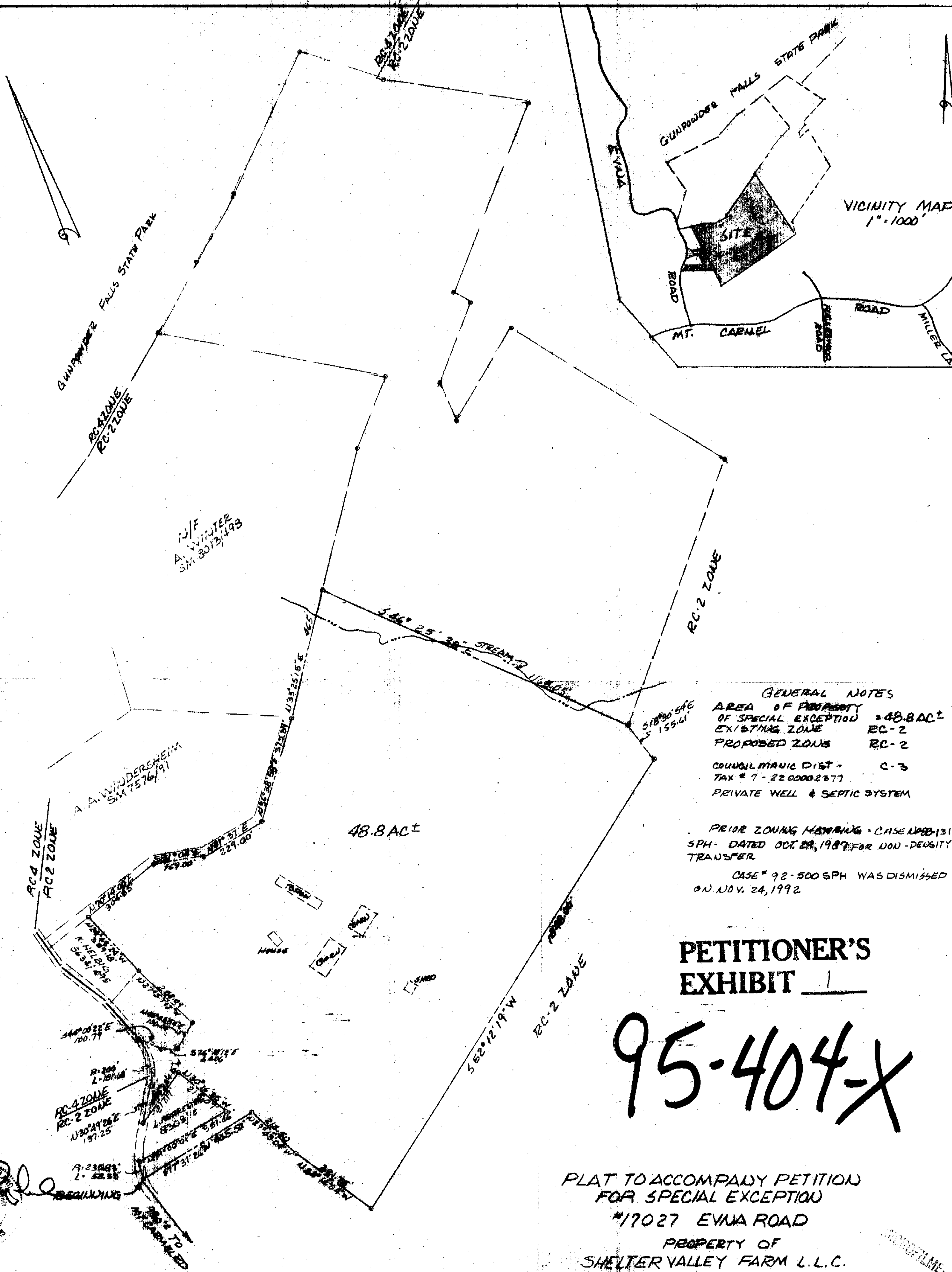
TMK:bjs

cc: Mr. Karl Terwilliger  
Ms. Connie Shrader  
17027 Evna Road, Parkton, Md. 21120

People's Counsel

File





GENERAL NOTES  
 AREA OF PROPERTY OF SPECIAL EXCEPTION = 48.8 AC±  
 EXISTING ZONE RC-2  
 PROPOSED ZONE RC-2  
 COUNCILMANIC DIST. C-3  
 TAX # 7-2200002577  
 PRIVATE WELL & SEPTIC SYSTEM

PRIOR ZONING HEARING - CASE NAB-131  
 SPH - DATED OCT. 29, 1987 FOR NON-DENSITY  
 TRANSFER  
 CASE # 92-500 SPH WAS DISMISSED  
 ON NOV. 24, 1992

# PETITIONER'S EXHIBIT

95-404-X

PLAT TO ACCOMPANY PETITION  
 FOR SPECIAL EXCEPTION  
 #17027 EVNA ROAD

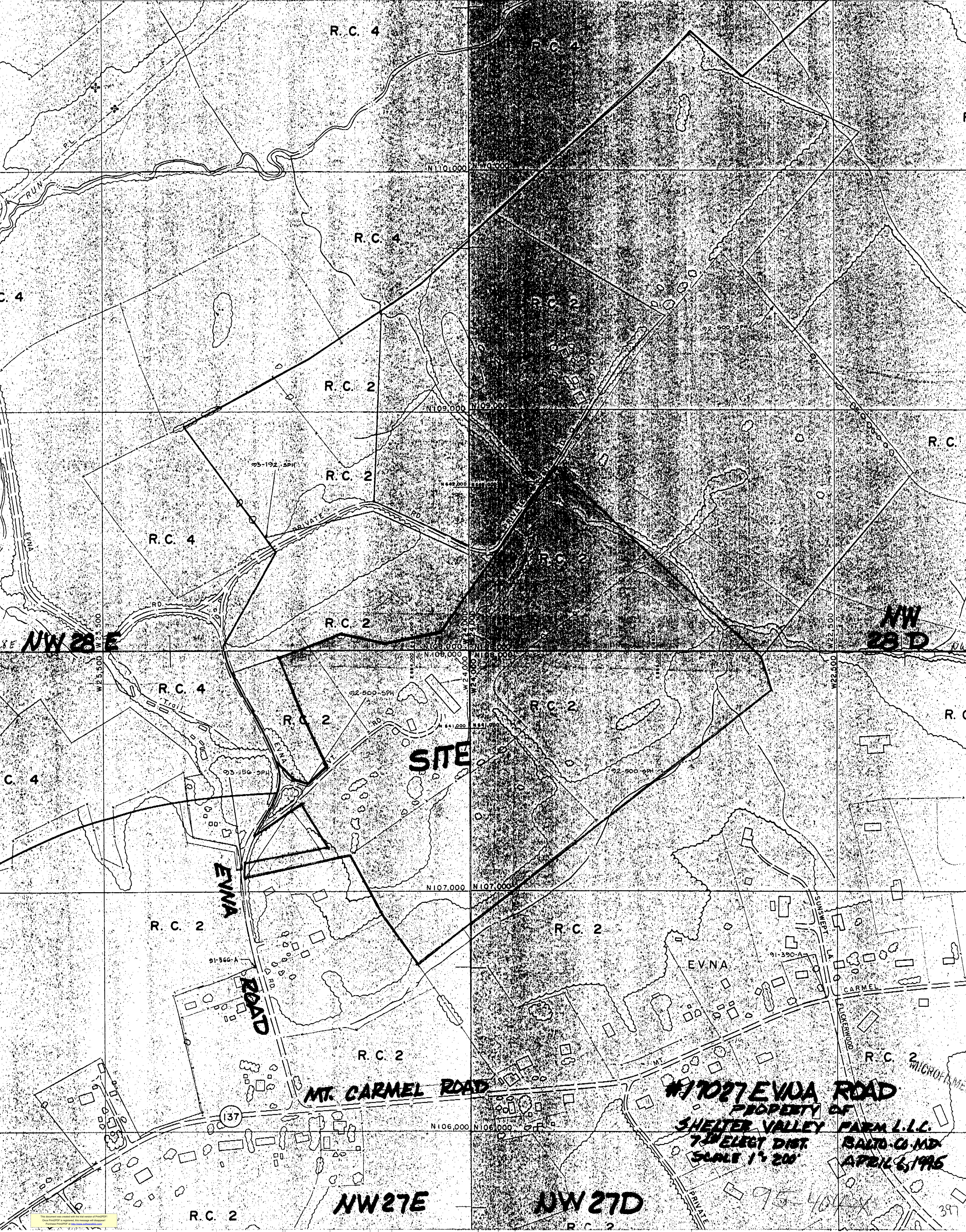
PROPERTY OF  
 SHELTER VALLEY FARM L.L.C.  
 7TH ELECT. DIST. BALTO. CO. MD.  
 SCALE 1" = 200' APRIL 4, 1995



E.F. RAFFEL & ASSOC.  
 REGISTERED PROFESSIONAL LAND SURVEYORS  
 205 COURTLAND AVENUE  
 TOWSON, MARYLAND 21204  
 825-3908

NOTE: OUTLINE SHOWN HEREON  
 WAS PLOTTED FROM DEEDS, PLATS  
 AND OTHER SOURCES, & IS NOT A SURVEY  
 OWNERS: SHELTER VALLEY FARM L.L.C.  
 801 POST RD. CT.  
 BALTO. MD. 21206







IN RE: PETITION FOR SPECIAL EXCEPTION  
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(17027 Evna Road)  
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Shelter Valley Farm, LLC  
Petitioners

\* BEFORE THE  
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\* OF BALTIMORE COUNTY  
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THK:bjs

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

June 21, 1995

(410) 887-4386

Mr. John Phelps  
801 Post Bay Court  
Baltimore, Maryland 21206

RE: PETITION FOR SPECIAL EXCEPTION  
E/S of Evna Road, 980' N of Mt. Carmel Road  
(17027 Evna Road)  
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Shelter Valley Farm, LLC - Petitioners  
Case No. 95-404-X

Dear Mr. Phelps:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management office at 887-3391.

Very truly yours,

*Timothy M. Kotrocco*

TIMOTHY M. KOTROCCO  
Deputy Zoning Commissioner  
for Baltimore County

THK:bjs

cc: Mr. Karl Terwilliger  
Ms. Connie Shrader  
17027 Evna Road, Parkton, Md. 21120

People's Counsel

File

Printed with Dynalene Ink  
on Recycled Paper

## Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 17027 EVNA RD  
which is presently zoned RC-2

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

A RIDING STABLE

Property is to be posted and advertised as prescribed by Zoning Regulations. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

Contract Purchaser/Lessee  
Karl A. Terwilliger  
Signature  
17027 EVNA RD  
Parkton MD 21120  
City State Zipcode

Legal Owner(s)  
JOHN PHELPS (SHELTER VALLEY FARM, LLC)  
Signature  
(Type or Print Name)  
Address  
City State Zipcode

Attorney for Petitioner:  
Name  
Address  
City State Zipcode  
Name  
Address  
City State Zipcode  
ESTIMATED LENGTH OF HEARING  
The following date, \_\_\_\_\_, Next Two Months  
ALL OTHER  
REVIEWED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

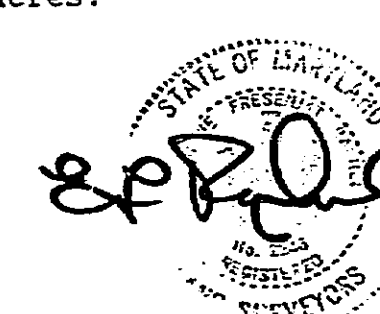
E. F. RAPHEL & ASSOCIATES  
Registered Professional Land Surveyors  
205 COURTLAND AVENUE  
TOWSON, MARYLAND 21204

OFFICE: 825-3508

RESIDENCE: 771-4592

#### AREA OF SPECIAL EXCEPTION

Beginning for the same at a point in the centerline of Evna Road at a distance of 980' +/- northerly from the intersection formed by the intersection of Mount Carmel Road and Evna Road at the beginning of the 5th line of the land of Shelter Valley Farm recorded in Liber SM 9728 folio 26 then binding on Evna Road N 30°-49'-26" E 137.25', by a curve to the left for a distance of 181.68', then leaving Evna Road S 44°-00'-22" E 100.79', S 76°-18'-12" E 64.06, N 46°-43'-54" E 100.00', N 27°-57'-17" W 258.09', N 24°-43'-24" W 259.18', N 70°-14'-00" E 304.85', S 81°-04" E 169.00', N 81°-37" E 229.00', N 36°-38'-58" E 375.39', N 33°-25'-15" E 465.00, then S 46°-25'-38" E 1163.05', S 18°-30'-54" E 155.61, S 52°-12'-19" W 1848.00', N 34°-14'-04" W 321.75', N 27°-43'-04" W 214.50, and S 77°-31'-26" W 445.50' to the place of beginning. Containing 48.80 Acres.



E. F. Raphael,  
Prof. Land Surveyor #2246

#### CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 6th Date of Posting: 7/19/95  
Posted for: Special Exception  
Petitioner: Shelter Valley Farm, LLC  
Location of property: 17027 Evna Rd,  
Location of Sign: Property, 17027 Evna Rd, Parkton, Md. 21120  
Remarks:  
Posted by: [Signature]  
Number of Signs: 1  
Date of return: 7/20/95

#### CERTIFICATE OF PUBLICATION

TOWSON, MD., May 19, 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 3 successive weeks, the first publication appearing on May 4, 19 95

THE JEFFERSONIAN,  
A. Hennibson  
LEGAL AD. - TOWSON

NOTICE OF HEARING  
The Zoning Commissioner of Baltimore County, by authority of the Zoning Regulations of Baltimore County, will hold a public hearing on the following matter:  
Case: 95-404-X  
(Item 207)  
17027 Evna Road  
6th Election District  
3rd Councilmanic District  
Legal Owner(s):  
Shelter Valley Farm, LLC  
Contract Purchaser:  
Karl A. Terwilliger  
Hearing Monday  
June 12, 1995 at 5:00  
a.m. in Room 116, Old  
Courthouse  
Special Exception for a  
riding stable.  
LAWRENCE E. SCHMIDT  
Zoning Commissioner for  
Baltimore County  
NOTES: (1) Hearings are held  
captioned according to special  
arrangements. Please call  
887-3391.  
Other information concerning  
the file and/or hearing, please  
call 887-3391.  
5-2092 May 18.

Baltimore County  
Zoning Administration &  
Development Management  
111 and Chesapeake Avenue  
Towson, Maryland 21204

receipt  
95-404-X

Date: 3 May 95  
17027 Evna Rd  
050-300  
080 35  
335 00  
Shelter Valley Farm LLC  
(PHELPS)  
(to go)

0360380029MCHRC  
\$335.00  
Please Make Checks Payable To: Baltimore County

Cashier Validation



TO: FUTURE PUBLISHING COMPANY  
May 18, 1995 Issue - Jeffersonian

Please forward billing to:

Karl A. Terwilliger  
17027 Evna Road  
Pawcaton MD 21204  
343-2640

#### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-404-X (Item 397)  
17027 Evna Road  
c/o Evna Road, 980' N of Mt. Carmel Road  
6th Election District - 3rd Councilmanic  
Legal Owner(s): Shelter Valley Farm, LLC  
Contract Purchaser: Karl A. Terwilliger  
HEARING: MONDAY, JUNE 12, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

Special Exception for a riding stable.

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

May 11, 1995

#### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-404-X (Item 397)  
17027 Evna Road  
c/o Evna Road, 980' N of Mt. Carmel Road  
6th Election District - 3rd Councilmanic  
Legal Owner(s): Shelter Valley Farm, LLC  
Contract Purchaser: Karl A. Terwilliger  
HEARING: MONDAY, JUNE 12, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

Special Exception for a riding stable.

*Carl John*  
Arnold Jablon  
Director

cc: John Phelps  
Karl A. Terwilliger

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

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on Recycled Paper

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

June 5, 1995

Mr. John Phelps  
Shelter Valley Farm  
801 Post Boy Court  
Towson, Maryland 21286

RE: Item No.: 397  
Case No.: 95-404-X  
Petitioner: John Phelps

Dear Mr. Phelps:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on May 3, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

*W. Carl Richards, Jr.*  
W. Carl Richards, Jr.  
Zoning Supervisor

WCR/jw  
Attachment(s)

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on Recycled Paper

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director  
Zoning Administration and  
Development Management May 15, 1995

FROM: J. Lawrence Pilson  
Development Coordinator, DEPRM

SUBJECT: Zoning Item #397 - Shelter Valley Farm  
17027 Evna Road  
Zoning Advisory Committee Meeting of May 15, 1995

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

#### Agricultural Preservation Program

This property is in an Agricultural Easement. A riding stable is an agricultural operation and thus does not conflict with use of prime and productive soils.

JLP:WL:sp

SHELTERV/DEPRM/TXTSBB

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration and  
Development Management DATE: May 16, 1995

FROM: Pat Keller, Director  
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):  
Item Nos. 391, 392, and 397.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: *Jeffrey M. Long*  
Division Chief: *Gary L. Kins*

PK/JL

ITEM392/PZONE/ZAC1

Baltimore County Government  
Fire Department



700 East Joppa Road Suite 901  
Towson, MD 21286-5500

(410) 887-4500

DATE: 05/11/95

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF MAY 15, 1995.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 392, 394, 395, 396, 397, 398, 399 AND 400.

RECEIVED  
MAY 16 1995  
ZADM

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Printed on Recycled Paper

Maryland Department of Transportation  
State Highway Administration

O. James Lighthizer  
Secretary  
Hal Kassoli  
Administrator

Ms. Joyce Watson  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Baltimore County  
Item No.: 397 (CAN)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*Bob Small*  
for Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/

BALTIMORE COUNTY, MARYLAND  
Inter-Office Memorandum

DATE: March 31, 1995

TO: Hearing Officer

FROM: Catherine A. Milton  
Planner I, ZADM

SUBJECT: Item #397  
17027 Evna Road

Arnold said even though owner is incorporated, petitioner is contract purchaser and, therefore, doesn't need an attorney.  
See letter of ownership in file.

CAM:scj

RE: PETITION FOR SPECIAL EXCEPTION  
17027 Evna Road, c/l Evna Rd, 980' N of  
Mt. Carmel Road, 6th Election District,  
3rd Councilmanic  
Shelter Valley Farm, LLC  
Petitioners

BEFORE THE  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY  
CASE NO. 95-404-X

#### ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

*Peter Max Zimmerman*  
PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County  
*Carole S. Demilio*  
CAROLE S. DEMILIO  
Deputy People's Counsel  
Room 47, Courthouse  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

#### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 31st day of May, 1995, a copy of the foregoing Entry of Appearance was mailed to John Phelps, Shelter Valley Farm, LLC, 801 Post Bay Court, Towson, MD 21286, Legal Owner/Petitioner, and to Karl Terwilliger, 17027 Evna Road, Parkton, MD 21120, Contract Purchaser.

*Peter Max Zimmerman*  
PETER MAX ZIMMERMAN

95-404-X

APRIL 06, 1995

TO WHOM IT MAY CONCERN:

THIS LETTER IS TO SERVE AS NOTICE THAT JOHN H. PHELPS IS THE PRESENT OWNER OF THE PROPERTY KNOWN AS:

SHELTER VALLEY FARM L L C  
17027 EVNA ROAD  
PARKTON, MARYLAND 21120

*John H. Phelps*  
JOHN H. PHELPS

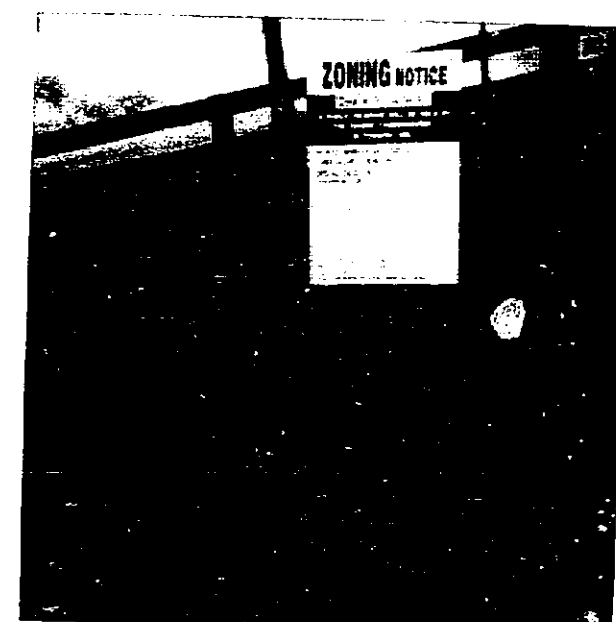
DATED: 4/6/95

ON THIS 6TH DAY OF APRIL, 1995, JOHN H. PHELPS, PERSONALLY KNOWN TO ME, A NOTARY IN THE STATE OF MARYLAND, BALTIMORE COUNTY.

*Linda L. Coleman*  
LINDA L. COLEMAN  
NOTARY PUBLIC, STATE OF MARYLAND  
My Commission Expires April 1, 1996

397

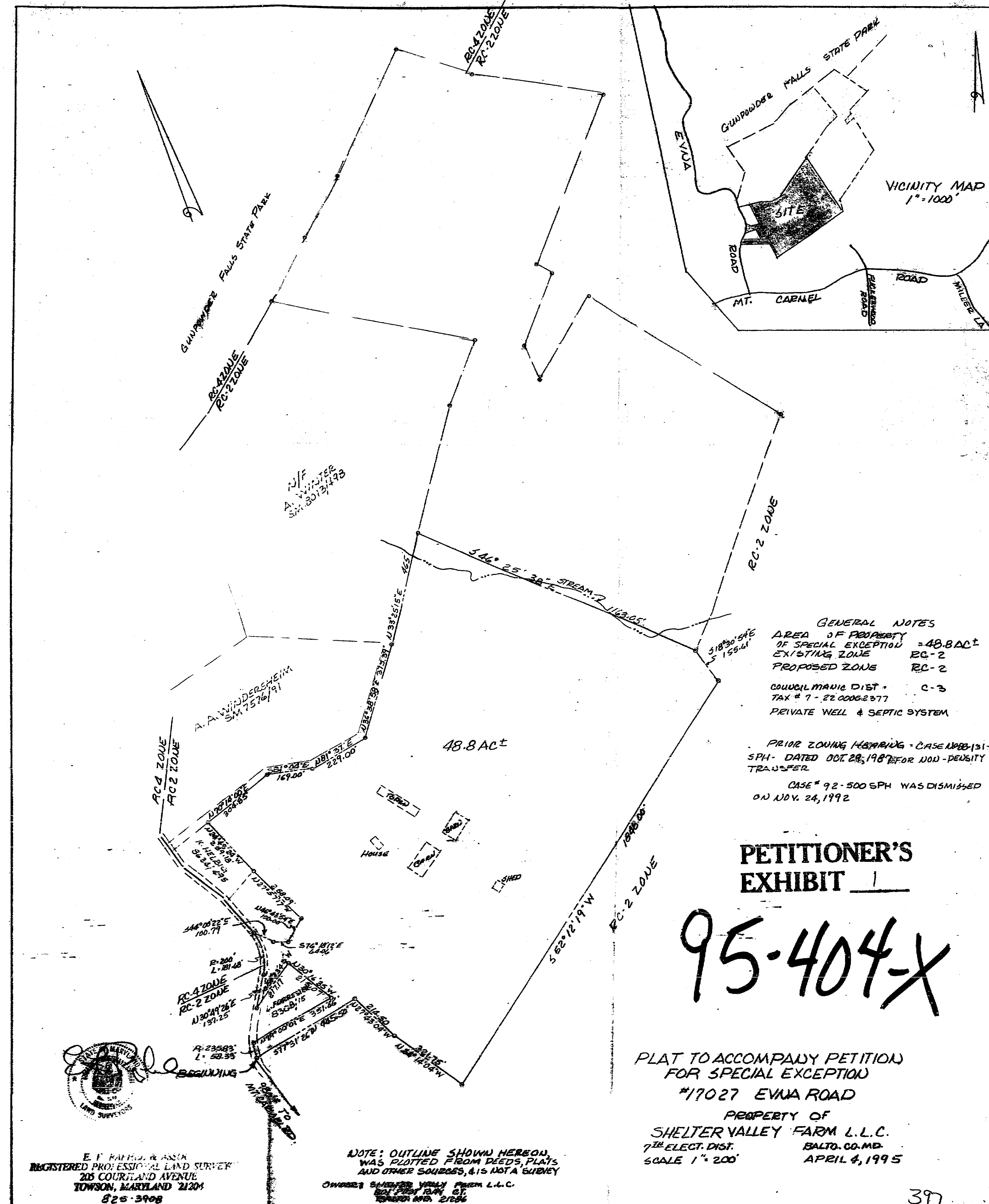
95-404-X



EASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Karl A. Terwilliger	17027 Evna Rd, Parkton, MD 21120
Carole S. Demilio	"
JOHN PHELPS	801 POST BAY CT.





R. C. 4

R. C. 4

R. C. 2

R.C. 2

R. C. 2

R. C. 4

R.C. 2

R. C. 2

R. C. 4

R. C. 2

R. C. 2

R. C. 2

MT. CARMEL ROAD

#17027 EVVA ROAD

PROPERTY OF

# SHELTER VALLEY

74 EAST DR

BAFTA-G.M.

44-38861-5797

R.C. 2

NW 27E

NW 27D